

Appn. Number 10/050,307 (Tu et al.) GAU 3736 Amnt. B contd. 7 of 8

REMARKS - General

By the above amendments, applicants have amended claims 6 and 16; and cancelled claim 1 without prejudice.

In the changes made to the claims by the current amendment, ~~deletions are shown by strikethrough~~, and additions are underlined.

Discussion of Claims Objections

Claim 16 has been amended to show structure limitation with "means for comparing said".

Discussion of Claims Rejections - 35 USC §102

Claim 1 has been cancelled.

For claim 6, a structure limitation "means for comparing said" has been added in the amendment. Claim 6 discloses measuring and comparing tissue impedance of a cryogenic tissue of about 20°C to 38°C. U.S. Pat. No. 6,719,755 to Sliwa et al. teaches measuring the impedance of a body temperature tissue, but measuring the temperature at the temperature sensor for maintaining a near surface NS temperature of 0-80°C (column 26, lines 38-42 of Sliwa) - not the tissue for impedance measurement. Sliwa et al. does not disclose means for measuring tissue impedance of a cryogenic tissue.

U.S. Pat. No. 6,741,895 to Gafni et al. teaches measuring impedance to assure a good contact, the quality of the contact between active area and vagina V at a body temperature (column 12, lines 38-41). Gafni et al. also teaches measuring temperature including 36-37°C (column 7, lines 54-62), but neither discloses means for measuring tissue impedance of a cryogenic tissue, nor maintaining a tissue at cryogenic conditions for impedance measurement.

Claims 7-11 are dependent claims on the amended claim 6.

Allowable Subject Matter

Appn. Number 10/050,307 (Tu et al.) GAU 3736 Amnt. B contd. 8 of 8

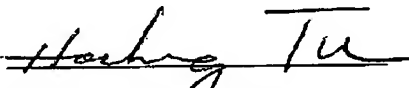
Claims 16 and 18-30 are allowed.

Conclusion and Conditional Request For Constructive Assistance

For all of the above reasons, applicants submit that claims are now in proper form, and that the claims all define patentably over the prior art. Therefore they submit that this application is now in condition for allowance, which action they respectfully solicit.

Applicants have amended the claims of this application so that they are proper, definite, and define novel structure which is also unobvious. If, for any reason, this application is not believed to be in full condition for allowance, applicants respectfully request the constructive assistance and suggestions of the Examiner pursuant to M.P.E.P. § 706.03(d) and § 707.07(j) in order that the undersigned can place this application in allowable condition as soon as possible and without the need for further proceedings.

Very respectfully,

 6/22/2004
Hosheng Tu, applicant